

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS MEETING
TUESDAY, NOVEMBER 20, 2012**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, November 20, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri.

PRESENT:

Commissioner Lisa T. Pelofsky, President
Commissioner Alvin L. Brooks, Vice President
Commissioner Angela Wasson-Hunt, Treasurer
Commissioner Patrick A. McInerney, Member
Mayor Sylvester "Sly" James, Jr., Member (arrived at 9:08 a.m.)
Darryl Forté, Chief of Police
Mr. David V. Kenner, Secretary/Attorney

This meeting was called to order at 9:05 a.m. by Commissioner Pelofsky. The invocation was provided by Pastor Dennis Dewey.

1. Awards and commendations.

Officer James Knight was presented with the Meritorious Service Award for using no sick time during his 25 year career.

Sergeant Eric Stucker and Officer Johnathon Dawdy each received a Certificate of Commendation for the capture of multiple career criminals in the area of SPD.

Officer Nathan Magers and Officer Joshua Meierer each received a Certificate of Commendation for coming to the aid of an armed, suicidal man who was ultimately taken into custody and transported to the hospital for a psychological evaluation.

Minutes of Board Meeting, November 20, 2012

2. Mr. Gary White.

Mr. White presented the monthly status report dated November 8, 2012.

With regard to the police video records audit, he discussed this audit with Chief Forté in early November and the Chief will provide a response in the near future.

The Board took a recess at 9:16 a.m. and resumed at 9:21 a.m.

3. Councilman John Sharp, Public Safety and Emergency Services Committee. Councilman Sharp thanked the police department for allowing him to participate in the ribbon cutting for the new South Patrol Division and indicated that businesses are more interested in the Bannister corridor now.

Councilman Sharp said an ordinance will go before the City Council today addressing the issue of “party houses.” Sergeant Brad Dumit testified before the City Council supporting this ordinance which will help to control nuisance businesses and houses.

Councilman Sharp again spoke about an ordinance to regulate salvage operators.

4. Police Foundation. Ms. Betsey Solberg, President of the Police Foundation, provided the Board with a brief update on the foundation. She said the Police Foundation began in 2009, being founded by Chief James Corwin and Commissioner Terry Brady. The foundation is non-profit which consists of a group of civic and business leaders that are independent of the police department. They work closely with Chief Forté to identify programs and generate funds for these programs to enhance public safety. Their mission is to reduce crime and make the City safer by generating funds for the police

Minutes of Board Meeting, November 20, 2012

department for programs that would not otherwise be funded, such as support for officers to attend educational programs. They have sent ten officers to a homicide academy out of town. Long term, they seek to support the Law Enforcement Research Center with a fundraiser next year.

5. Approval of the minutes.

Commissioner Wasson-Hunt suggested that a correction be made on page 16 of the October 23, 2012 regular Board meeting minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks approving the minutes of October 23, 2012 regular Board meeting as amended. The vote to approve was 5-0 in favor.

Commissioner Wasson-Hunt suggested that a correction be made on the first page of the October 23, 2012 Legislative Committee minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks approving the minutes of the October 23, 2012 Legislative Committee as amended. The vote to approve was 5-0 in favor.

6. City Architects Report.

Mr. Eric Bosch provided an update on current construction projects. Mr. Bosch said he anticipates receiving temporary occupancy for the new SPD/SOD this week. Move in will begin shortly after that.

He said the police headquarters project is back on schedule and the construction crew is in the process of drilling over a dozen piers. The tunnel work is complete.

Minutes of Board Meeting, November 20, 2012

Neighborhood meetings continue to discuss the new EPD campus. Mr. Bosch said the City will award contracts for deconstruction and demolition of the homes located in the project area. He said there are still approximately 10 homes that still have residents and some of these are scheduled for condemnation court. With regard to the design of the EPD and crime lab buildings, J. E. Dunn Construction and Alexander Construction are working with Helix Architects to review the drawings.

Commissioner Pelofsky said she appreciates receiving the newsletter that provides updates on the project. She congratulated and thanked Mr. Bosch for his work on the new SPD/SOD and she is very pleased with the outcome.

7. Commissioner Lisa Pelofsky. Commissioner Pelofsky said she is interested in discussing meeting effectiveness to possibly change the structure of the Board meetings with the goal of making the meetings more effective, informative, and possibly less time consuming for all. She asked the commanders for input.

She suggested that more of the routine reports be listed as consent agenda items, and giving the Chief an opportunity to discuss his strategic plan by providing updates.

Ms. Fain said OCC would prefer to report on a quarterly basis.

Commissioner Wasson-Hunt suggested the scheduling of a short business session in December to discuss meeting effectiveness.

8. Chief Darryl Forté. Chief Forté said last night on Channel 5 Eric Chaloux did positive and report on hot spot policing. The Chief said this policing effort is

Minutes of Board Meeting, November 20, 2012

not just being accomplished by the police, but also by the community including the Jackson County Prosecutor, business owners; the faith based community, AIM4Peace, Pack 20, and Lamar Vickers.

Chief Forté thanked Councilman Sharp, Councilman Wagner and Sgt. Brad Dumit for introducing the ordinance that will reduce nuisance businesses and houses.

9. Administration Bureau.

a. Personnel summary. A/ Deputy Chief Pruetting submitted the personnel summary dated October 31, 2012. Current department strength is 1,348 law enforcement personnel compared to 1,386 for this same time period in 2011. He said we currently have 48 recruits in the police academy. There are 581 civilians compared to 571 for the same time period 2011.

Chief Forté stated that the department currently has seven more reserve officers this year compared to last year.

Mayor James asked for the diversity breakdown of the current academy class. Deputy Chief Higgins said that information is listed under her tab.

b. Monthly report, OCC investigations. A/ Deputy Chief Pruetting submitted the monthly OCC investigations report dated November 2, 2012. There were 29 OCC's under investigation at the end of October, none of which were granted extensions beyond 60 days. IAU has received a total of 143 OCC's this year compared to 185 during the same period last year. There were 139 investigations that were completed and forwarded to OCC compared to 182 for the same period last year.

Minutes of Board Meeting, November 20, 2012

c. Private Officers License Appeal, Mr. Frederick S. Lewis.

A/ Deputy Chief Pruetting presented the Private Officers license appeal of Mr. Lewis. The basis for the denial of Mr. Lewis' private security license was his termination from KCPD in September 1993. A denial on this basis is consistent with the provisions of Title 17 of the Code of State Regulations, Section 10-2.050 (5) (F). The Commissioners inquired about the civil suit surrounding his termination.

A motion was made by Mayor James with a second by Commissioner McInerney to adopt the recommendation to deny the private security license of Frederick S. Lewis. The vote to approve was 5-0 in favor.

10. Investigations Bureau. Deputy Chief Randy Hundley reported that year-to-date there have been 98 homicides with 100 for the same time period last year.

Deputy Chief Hundley said there are 2,641 cases that have been presented to the prosecutor and charges were filed in 2,061 of these.

With regard to drive-by shootings, there have been 188 year-to-date for 2012, as compared to 175 last year 2011.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for October 2012. This report is Attachment "A" and is made a part of these minutes.

Mayor James asked for more detail about the homicide numbers and the narcotics issues. He said he gets questioned a lot about these issues and would like more information with which to provide answers. Deputy Chief Hundley said

Minutes of Board Meeting, November 20, 2012

many of the homicides this year have been single homicides and last year there were more multiple homicides. With regard to the drug related cases, he said earlier in the year there were a couple of high impact cases which help to keep the enforcement numbers high for the year.

Mayor James suggested that the police department tweet the Eric Chaloux news story that Chief Forté referred to previously in an effort to send out positive messages. Ms. Sarah Boyd from the Media Unit said that story was put out on Twitter last night.

Mayor James said the issues that lead to homicides are not something the police can control. He said the prevention of homicides is a complicated issue as shown by the fact that the number of homicides has not changed over a significant period of time most likely due to the resiliency of the factors that cause it in the first place. He said society as a whole needs to find a way to provide more resources such as jobs, education, etc., things that are essential to giving people hope and opportunities to improve their current situation. Commissioner Brooks agreed, and noted that many homicides are domestic in nature.

Commissioner Pelofsky and Deputy Chief Hundley discussed the police department domestic violence intervention methods. Deputy Chief Hundley said most homicides are not committed by strangers.

11. Patrol Bureau.

Major Roger Lewis presented the Monthly Crime Summary for September 2012. This report is Attachment "B" to these minutes. Major Lewis said violent

Minutes of Board Meeting, November 20, 2012

crime numbers remain steady with a decrease in assaults at five of the six patrol divisions. There was not a decrease in the area of MPD.

Also submitted was the October 2012, Traffic Summary which is marked as Attachment "C" to these minutes.

Major Lewis said that response times were slightly down for the priority 10 calls and remained the same on the priority 20 calls. He said with the academy class that graduated recently, 15 more officers are on patrol. Additionally, four lateral transfer officers and one re-hire officer are also on patrol.

Mayor James asked how police response time is defined. He wanted to confirm that response time is calculated from the time the call is received until the time the officer arrives on the scene. Major Lewis confirmed this. Mayor James asked how quickly the officers are dispatched. Major Lewis said it depends on the nature of the call. A crime in progress or serious injury call is dispatched while the caller is still on the phone with the call taker. For non-emergency calls, the call taker will obtain all of the needed information prior to the call being dispatched.

Major Lewis reported that year-to-date there have been 62 fatal crashes with 61 for the same time period last year.

With regard to the top ten high crash location report, Major Lewis pointed out that only one was a red light camera location.

Major Lewis said a security plan is in place to handle the Plaza lighting ceremony set for Thanksgiving night.

Minutes of Board Meeting, November 20, 2012

12. Professional Development and Research Bureau.

a. Continuing education. Captain John Mueller, Director of the Training Academy, presented a summary of Missouri Peace Officer Standards and Training (P.O.S.T.) continuing law enforcement education requirements. He said P.O.S.T. requirements apply only to sworn law enforcement members.

P.O.S.T. requires that officers receive 48 hours of continuing education in a three year period. Of those 48 hours, officer must have a minimum of four hours each in legal studies, technical studies, interpersonal perspectives, and skill development. P.O.S.T. also requires a minimum of four hours of firearms skill development.

Officers who attend the annual scheduled in-service training at the academy will meet all of the minimum standards by the end of the three year period. Officers also receive additional training on racial profiling.

Department policy requires additional firearms skill development by requiring that sworn members qualify on the firing range twice annually.

Optional college degree programs for police department personnel include the Benedictine leadership MBA and the University of Phoenix both of which have an MOU with the police department. Captain Mueller said he was recently contacted by Park University who expressed interested in a similar MOU.

Captain Mueller said both sworn and non-sworn members can attend computer courses and professional development training through New Horizons.

b. Entrant officer class summary. Deputy Chief Patty Higgins submitted the entrant officer class summary dated November 15, 2012. This

Minutes of Board Meeting, November 20, 2012

summary represents the 146th and 147th EOC that are currently in session. Deputy Chief Higgins said the diversity breakdown can be found on page 2 of this summary. Mayor James said there appears to be low numbers of Latinos and the Latino community is the fastest growing in the area. He asked if the police department provides any outreach to attract Latino applicants. A/ Deputy Chief Pruetting said the police department tries to identify events to attend for recruiting efforts. Human Resources will ask Latino officers to be more active at these events.

Commissioner Pelofsky asked if the police department works with the Full Employment Council. Chief Forté said we did at one time, but we lost our direct connection there.

c. Consent agenda items.

A motion was made by Commissioner McNerney, with a second by Commissioner Wasson-Hunt approving Project #636, Personnel Policy and Benefit Directive 940, Retiree Certification. The vote was 5-0 in favor. Mayor James suggested that grant acceptance be placed on the consent agenda in the future.

13. Executive Services Bureau. Deputy Chief Gallagher presented the following items for Board approval:

Minutes of Board Meeting, November 20, 2012

a. Kansas City Multi-Jurisdictional Task Force (KCMJTF) Contract Adjustment.

A memorandum dated October 25, 2012, was submitted outlining the contract adjustment for the KCMJTF grant through the Missouri Department of Public Safety. This is additional funding in the amount of \$4,582.20.

A motion was made by Commissioner McInerney with a second by Commissioner Brooks accepting the contract adjustment from the Missouri Department of Public Safety in the amount of \$4,582.20.

b. Port Security Grant Program. This item was discussed in closed session.

c. Adjustments to special revenue funds for fiscal year 2012-13.

A memorandum dated November 9, 2012, requesting adjustments to the special revenue accounts for fiscal year 2012-13, to fund data network systems for the LERC. A copy of this memorandum is Attachment "D" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt, seconded by Commissioner McInerney and unanimously carried by the Commissioners approving the adjustments to the special revenue accounts as presented. The vote was 5-0 in favor.

d. Budget transfers for fiscal year 2012-13.

A memorandum dated November 8, 2012, was submitted which outlines the details of these budget transfers. A copy of this memorandum is Attachment "E" and made a part of these minutes.

Minutes of Board Meeting, November 20, 2012

A motion was made by Commissioner Brooks, with a second by Commissioner Wasson-Hunt approving the budget transfers as presented. The vote was 5-0 in favor.

e. Budget Summary Report for the month of November. A memorandum dated November 9, 2012, was submitted for informational purposes only. Deputy Chief Gallagher said under the paragraph entitled personal services, the percentage that reads 46.02% should be corrected to 45.98%. A copy of this memorandum is Attachment "F" and made a part of these minutes.

14. Ms. I. Pearl Fain.

Ms. Fain presented the monthly statistical report for October 2012. This report is maintained in the Office of Community Complaints. OCC received a total of 47 complaints for the month of October 2012, and 24 of these complaints were submitted to the Internal Affairs Unit for Investigation. Ms. Fain noted that there was an uptick in complaints, but that there was no ongoing trend.

Commissioner Wasson-Hunt asked why there was an increase in excessive force complaints. Ms. Fain said she will research those complaints for an answer.

The Board agreed that OCC can provide a quarterly rather than monthly report to the Board.

15. Audit Committee update. Commissioner Wasson-Hunt had nothing to report at this time.

Minutes of Board Meeting, November 20, 2012

16. Fraternal Order of Police Lodge No. 99. Officer Steve Miller had nothing to report at this time.

17. Scheduled meetings.

Regular Board Meetings:

Tuesday, December 18, 2012

9:00 a.m., South Patrol Division, 9701 Marion Park Drive, Multi-purpose building

Tuesday, January 15, 2013

9:00 a.m., 6th floor, Board room

Tuesday, February 12, 2013

9:00 a.m., 6th floor, Board room

Business Session:

Friday, December 14, 2012

10:00 a.m., 6th floor, Board room

Audit Committee Meeting:

Tuesday, January 15, 2013

8:00 a.m., 6th floor, Board room

18. Commissioner Lisa Pelofsky. Commissioner Pelofsky offered condolences on behalf of the Board to Sergeant Jeffrey Colvin and his family.

A motion was made by Commissioner Brooks with a second by Commissioner McNerney to close the open meeting. The vote was 5-0 in favor. Following polling Commissioner Brooks voted aye, Mayor James voted aye, Commissioner Wasson-Hunt voted aye, Commissioner Pelofsky voted aye, and Commissioner McNerney voted aye. The meeting recessed at 10:50 a.m. to go into closed session.

Minutes of Board Meeting, November 20, 2012

RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on September 25, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, November 20, 2012, at Police Headquarters, 1125 Locust, Kansas City, Missouri, for the purpose of discussing legal matters, employment matters, litigation matters, labor negotiations, and public safety and security systems.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Lisa T. Pelofsky	-	Aye
Commissioner Alvin Brooks	-	Aye
Commissioner Angela Wasson-Hunt	-	Aye
Commissioner Patrick A. McInerney	-	Aye
Mayor Sylvester "Sly" James, Jr.	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

1) Following a motion by Commissioner Brooks and a second by Commissioner McInerney, the Board voted to go into closed session to discuss legal matters, employment matters, litigation matters, labor negotiations, and public safety and security systems. The vote was 5-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, Commissioner McInerney voted Aye, Commissioner Wasson-Hunt voted Aye, and Mayor James voted Aye.

Minutes of Board Meeting, November 20, 2012

2) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the minutes of the October 23, 2012, closed session meeting of the Kansas City Board of Police Commissioners. The vote was 5-0 in favor.

3) Following a motion by Commissioner Brooks and a second by Commissioner McInerney, the Board voted to accept the award for the Port Security Grant Program from the Department of Homeland Security in the amount of \$283,200 to secure potential terrorism targets. The vote was 5-0 in favor.

4) Following a motion by Commissioner Brooks and a second by Mayor James, the Board voted to go out of closed session and adjourn. The vote was 5-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner McInerney voted Aye, Commissioner Brooks voted Aye and Commissioner Wasson-Hunt voted Aye, and Mayor James voted Aye.

President

Secretary/Attorney